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OFFICIAL GAZETTE

GOVERNMENT OF GOA



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GOVERNMENT OF GOA

Department of Panchayati Raj & Community Development

Directorate of Panchayats

Order

19/33/DP/VP-STAFF/2010

Read: (1) Government Order No. 35/DP/PAN/EMP/2000 dated 5-3-2003, published in the Official Gazette, Extraordinary, Series I No. 49 dated 6-3-2003.

(2) Government Order No. 35/DP/PAN/EMP/2006 dated 4-1-2007, published in the Official Gazette, Series I No. 43 dated 25-1-2007.

(3) Government Order No. 35/DP/PAN/EMP/2006 dated 6-4-2010, published in the Official Gazette, Series I No. 3 dated 15-4-2010.

In exercise of the powers conferred by section 114 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby further amends the Goa Panchayat (Staffing pattern, scales of pay and mode of recruitment of staff of Panchayats) Order, 2003, as follows, namely:—

1. *Short title and commencement.*— (1) This order may be called the Goa Panchayat (Staffing pattern, scales of pay and mode of recruitment of staff of Panchayats) (Third Amendment) Order, 2010.

(2) It shall come into force from the date of its publication in the Official Gazette.

2. *Amendment of clause 7.*— In clause 7 of the Goa Panchayat (Staffing pattern, scales of pay and mode of recruitment of staff of Panchayats) Order, 2003, for item 3, the following shall be substituted, namely:—

“3. Librarian – Grade III.—**DRAFT RULES****(i) Essential qualifications:**

- (a) S.S.C.E. or equivalent.
- (b) Six weeks Library Certificate Course.
- (c) Knowledge of Konkani.

(ii) Desirable:

(a) Degree/Diploma in Library Science of recognized University.

(b) Knowledge of Marathi and English.”.

By order and in the name of the Governor of Goa.

Menino D’Souza, Director & ex officio Joint Secretary (Panchayats).

Panaji, 9th September, 2010.

Notification

DP/ZP/CS/2006

The following draft rules which are proposed to be made under sub-section (4) of section 150 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), are hereby pre-published as required by sub-section (1) of section 240 of the said Act, 1994, for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Director of Panchayats and ex officio Joint Secretary to the Government of Goa, Junta House, 3rd lift, 3rd floor, Panaji, Goa, before the expiry of said period of fifteen days from the date of publication of this Notification in the Official Gazette.

In exercise of the powers conferred by sub-section (1) of section 240 read with sub-section (4) of section 150 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Zilla Panchayat (Constitution of services, recruitment and other conditions of service) Rules, 2010.

(2) They shall come into force at once.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) “Act” means the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994);

(b) “casual employee” means an employee engaged for a work which is essentially for an occasional or casual nature and includes a worker engaged for a definite job or for a definite tenure;

(c) “Chief Accounts Officer” means an officer appointed by the Government as Chief Accounts Officer under sub-section (2) of section 150 of the Act;

(d) “Chief Executive Officer” means an officer appointed by the Government as Chief Executive Officer under sub-section (1) of section 150 of the Act;

(e) “District Rural Development Agency” means District Rural Development Agency, North and District Rural Development Agency, South;

(f) “employee” means an employee appointed or deemed to have been appointed by the Zilla Panchayat and includes an officer appointed or deployed by the Government in the Zilla Panchayat;

(g) “Executive Engineer” means an Executive Engineer appointed by the Zilla Panchayat and includes an engineer promoted as Executive Engineer from amongst the cadres of Assistant Engineers in the Zilla Panchayat or any Engineer of the same rank deployed from other Government Departments or from the District Rural Development Agency;

(h) “permanent employee” means an employee appointed on a permanent post and has been confirmed in the said post after satisfactorily completing the probation period;

(i) “section” means section of the Act;

(j) “Superintending Engineer” means a Superintending Engineer appointed by the Zilla Panchayat or deployed by the Government as Superintending Engineer in the Zilla Panchayat or an Engineer promoted as Superintending Engineer from amongst the cadres of Executive Engineers;

(k) “temporary employee” means an employee engaged in a work which is essentially of temporary nature or an employee temporarily appointed for a specific purpose and includes a substitute appointed in place of permanent employee during his absence on leave or otherwise;

(l) “Zilla Panchayat Fund” means the Zilla Panchayat Fund referred to in section 166 of the Act;

Words and expressions used but not defined in these rules, shall have the same meaning as assigned to them in the Act.

3. *Constitution of services for the Zilla Panchayats.*— (1) There shall be following services for the Zilla Panchayat:—

(i) The Zilla Panchayat administrative services;

(ii) The Zilla Panchayat technical (engineering) services;

(iii) The Zilla Panchayat District Rural Development (Agency) services.

(2) The Government may from time to time constitute additional services to the Zilla Panchayat and may also withdraw any of the services constituted for administrative reasons.

4. *Creation and sanction of posts for said services in the Zilla Panchayat.*— (1) The Government may from time to time grant sanction for creation of grade “A” and “B” posts and group “C” and “D” posts in the Zilla Panchayat, as per the need and depute or deploy necessary eligible employees to the said posts in the Zilla Panchayat from the Departments of the Government or from the District Rural Development Agency.

(2) The Zilla Panchayat shall not create any posts in the Zilla Panchayat unless prior sanction thereto is obtained from the Government.

5. *Creation of sections in the Zilla Panchayat.*— (1) There shall be following sections in the Zilla Panchayat to look after the work and officials indicated thereof shall be in-charge of that particular section:

Section	Officer/Official in-charge
(i) General Administration	Head Clerk
(ii) Accounts	Chief Accounts Officer
(iii) Works	Superintending Engineer or Executive Engineer
(iv) District Rural Development	Project Officer

(2) Subject to the provisions of the Act and rules framed thereunder, the Chief Executive Officer shall be the administrative head and overall in-charge of the affairs of the Zilla Panchayat and all other officers and employees appointed in the Zilla Panchayat shall be subordinate to him and shall discharge their duties under his directions and guidance.

6. *Mode of recruitment of officers and employees in the Zilla Panchayat.*— The selection and appointment to the posts in grade “A” and “B” and group “C” and “D” posts in the Zilla Panchayats shall be as under:—

(a) *For officers in grade “A” and “B”.*— By transfer or deployment of officers from Goa Civil Service or officers holding analogous posts in the Departments of the Government or officers from the District Rural Development Agency.

(b) *For employees in group “C” and “D”.*— By absorption of eligible employees existing in Zilla Panchayats, failing which, by absorption of surplus staff from other line Departments, failing which, by transfer or deployment of the employees from Government Departments, failing which, by direct recruitment.

7. *Constitution of Committee for direct recruitment.*— (1) In case of direct recruitment, there shall be a committee for selection of candidates consisting of the following:—

- (a) Adhyaksha of Zilla Panchayat Chairperson;
- (b) Upadhyaksha Vice-Chairperson;
- (c) Joint Secretary to the Government of Goa in Personnel Department or his representative Member;
- (d) Chief Executive Officer Member Secretary.

(2) The said Committee shall follow the same procedure on the following matters as applicable to the Departments of the Government.

(i) creation of posts and obtaining prior sanction to the posts from the Government;

(ii) inviting applications from eligible persons by giving wide publicity in two local newspapers;

(iii) holding interviews of eligible candidates;

(iv) drawing proceedings of selection;

(v) issuing offer of appointment; and

(vi) any other matter relevant for recruitment as applicable to the Government Departments.

(3) The said Committee shall follow the same procedure as specified above for recruitment/selection of casual employees or temporary employees for the Zilla Panchayat.

(4) The Chief Executive Officer shall be the appointing authority for the employees of the Zilla Panchayat. A copy of every appointment order shall be endorsed to the Director of Panchayats for information.

(5) Any appointment made by the Zilla Panchayat in contravention of the provisions of these rules shall be void *ab-initio* and any salary or any amount paid to any employee due to such appointment shall be recovered from the person responsible for such appointment. An employee appointed in contravention of the provisions of these rules shall not be entitled to claim any right for continuation of his appointment.

8. *Educational and other qualifications and age limit for the direct recruitment of the services of the Zilla Panchayat.*— The educational qualifications, age limit and other qualifications for the direct recruitment of the employees of the Zilla Panchayat shall be the same as applicable to the Government employees of corresponding status.

9. *Pay and other allowances to be paid to the officers and staff appointed in Zilla Panchayat.*— The scale of pay and all other allowances viz., dearness allowance, house rent allowance, city compensatory allowance, travelling allowance, washing allowance, cash handling allowance, daily allowance, deputation allowance, special allowance, etc., to be paid to the officers and employees of the Zilla Panchayat shall be the same as applicable to the Government employees of corresponding status.

10. *Other benefits to Zilla Panchayat employees.*— (1) All officers and employees of Zilla Panchayat, except casual employee or temporary employee, shall be entitled for the benefits of Employees Provident Fund, re-imbursement of medical expenses, leave encashment, leave travel concession, gratuity, pensionary benefits, bonus and other benefits as applicable to the Government employees of corresponding status.

(2) Save as hereinabove provided, in case of officers or employees working in Zilla Panchayat on deployment or on deputation basis, the Zilla Panchayat shall credit appropriate amount towards pension contribution and leave salary of the respective officer or employee in the Government treasury during the period of his/her services in the Zilla Panchayat.

11. *Other conditions of service of Zilla Panchayat employees.*— Other conditions of service of Zilla Panchayat employees, such as, leave, provident fund, pension, etc., shall be as applicable to Government servants of equivalent rank.

12. *Transfer of employees of Zilla Panchayat.*— The Chief Executive Officer may transfer the employees of the Zilla Panchayat from one section to another section in the Zilla Panchayat on administrative reasons in consultation with the Adhyaksha of Zilla Panchayat.

13. *Maintenance of common seniority list.*— (1) The Director of Panchayats after receipt of copy of appointment order and joining report from the Chief Executive Officer shall cause to be maintained a common seniority list of employees according to the cadres working in the Zilla Panchayat.

(2) A copy of common seniority list shall be sent to the Chief Executive Officer before the end of December, every year who shall circulate the same amongst all the employees of the respective cadres.

(3) The objections or suggestions, if any, to the common seniority list shall be decided by

the Director whose decision thereon shall be final.

(4) The inter se seniority of the existing employees in the Zilla Panchayat shall be fixed by the Director.

14. *Constitution of Departmental Promotion Committee (D.P.C.) for Zilla Panchayat.*— (1) There shall be a Departmental Promotion Committee for considering cases relating to promotion of employees in higher scales depending upon the posts created in the Zilla Panchayat. The D.P.C. shall consist of the following, namely:—

- | | |
|----------------------------------|---------------|
| (a) Adhyaksha of Zilla Panchayat | — Chairperson |
| (b) Chief Executive Officer | — Member |
| (c) Chief Accounts Officer | — Member |

(2) No promotion shall be made unless it is duly recommended by the Departmental Promotion Committee of the Zilla Panchayat.

15. *Administrative and disciplinary control over the employees of Zilla Panchayat.*— (1) The power to take disciplinary action against Zilla Panchayat employees shall be vested in the Chief Executive Officer and he shall exercise the powers in the same manner as specified in the Goa Zilla Panchayat (Other functions, powers and duties of the Chief Executive Officer and other Officers) Rules, 1999 as amended from time to time.

(2) The power to take disciplinary action against the officers or employees in Government service but on deployment deputation in the Zilla Panchayat, shall be vested in the Government.

16. *Appeal.*— Any employee aggrieved by the decision of the Departmental Promotion Committee of the Zilla Panchayat or by the order passed by the Chief Executive Officer in disciplinary proceedings, may file an appeal to the Director of Panchayats within a period of 30 days from the date of decision of the Departmental Promotion Committee or from

the date of order of the Chief Executive Officer and the decision of the Director on such appeal shall be final.

17. *Salary and allowances, etc., to be paid from Zilla Panchayat Fund.*— (1) The salary, allowances and other benefits entitled to the officers and employees of the Zilla Panchayat shall be paid from Zilla Panchayat Fund.

(2) The Government shall provide sufficient funds to the Zilla Panchayat for strengthening various services constituted in the Zilla Panchayat.

18. *Creation of separate Bank account.*— The Zilla Panchayat shall maintain a separate fund and open a separate Bank account to deposit certain percentage of the fund required for the payment of salary and allowances, etc., of the employees of the Zilla Panchayat every year. The amount deposited under this account shall not be withdrawn for any other purpose except for payment of salary and allowances and other benefits to the employees of the Zilla Panchayat. The Chief Accounts Officer shall be responsible for the maintenance of the said account and any

shortfall therein shall be brought to the notice of the Chief Executive Officer and the Zilla Panchayat.

19. *Power to relax.*— The Government may, in consultation with the Zilla Panchayat, by order, for reasons to be recorded in writing, relax any of the provisions of these rules for absorption of existing employees in Zilla Panchayat.

20. *Transitional Provision.*— On and from the date of coming into force of these rules and until eligible employees are appointed to hold the posts in services of the Zilla Panchayats, in accordance with these rules, such posts may continue to be held by officers/employees who are holding such posts for the time being as if these rules have not come into force and shall continue till the constitution of services for Zilla Panchayat under these rules.

By order and in the name of the Governor of Goa.

Menino D'Souza, Director & ex officio Joint Secretary (Panchayats).

Panaji, 7th September, 2010.